

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

INEZ CAIN a/k/a EVE HALLIBURTON,

Plaintiff,

-against-

SIMON & SCHUSTER, INC. and KAREN
HUNTER,

Defendants.

Case No. 11-CV-4460 (SAS)

ECF CASE

NOTICE OF MOTION

TO: Brian Dratch, Esq.
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PLEASE TAKE NOTICE that the undersigned attorneys for the defendant Karen Hunter (“Ms. Hunter”) will apply before the Honorable Judge Shira A. Scheindlin of the Southern District of New York at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 15-C, at a time to be determined by the Court, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing the Amended Complaint with prejudice as asserted against Ms. Hunter on the grounds that it fails to state a claim upon which relief may be granted. In support of this motion, Ms. Hunter relies upon the accompanying Memorandum of Law.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court’s March 21, 2012 Scheduling Order, answering papers, if any, are to be filed and served by May 16, 2011; and reply papers, if any, are to be filed and served by May 30, 2012.

Dated: White Plains, New York
April 18, 2012

Respectfully submitted,

YANKWITT & MCGUIRE, LLP

By: /s/ Russell M. Yankwitt

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